

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

IN RE:

THE LOGISTICS GROUP, LLC

PLAINTIFF

V.

CIVIL ACTION NO. 3:08CV765 HTW-LRA

TAL-PORT INDUSTRIES, LLC

DEFENDANT

ORDER GRANTING MOTION FOR REFERRAL TO BANKRUPTCY COURT

This matter comes before the court on the motion for a referral to Bankruptcy Court [docket no. 9] filed by defendant Tal-Port Industries. The plaintiff does not oppose the motion. Accordingly, the court finds it well taken, and orders that the captioned matter shall be transferred to the United States Bankruptcy Court for the Southern District of Mississippi, Jackson Division.

Plaintiff the Logistics Group, LLC, filed a complaint against the defendant Tal-Port Industries in the 389th District Court in Hildago County, Texas. On November 25, 2008, the defendant removed the case to the United States District Court for the Southern District of Texas. On December 15, 2008, the case was transferred to this court.

On January 19, 2009, the defendant filed a motion for referral to Bankruptcy Court [docket no. 9] pursuant to 28 U.S.C. § 157(a)¹. Referral is appropriate as plaintiff's complaint seeks to recover from the defendant damages for defendant's alleged breach of contract, and the defendant filed a voluntary petition under Chapter

¹Section 157(a) states that: [e]ach district court may provide that any or all cases under title 11 and any or all proceedings arising under title 11 or arising in or related to a case under title 11 shall be referred to the bankruptcy judges for the district.

11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Mississippi on November 3, 2008. Therefore, defendant's motion is granted.

SO ORDERED this the 28th day of April, 2010.

s/ HENRY T. WINGATE

**CHIEF JUDGE
UNITED STATES DISTRICT COURT**

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